

Threshold quantities by state in the Federal Republic of Germany

State	Cannabis/hashish	Coca/cocaine	Opium/heroin	Amphetamine/ecstasy	Year
Baden Württemberg	A threshold for small amounts is deliberately avoided to prevent the impression that possession and purchase of certain quantities is allowed. Repetitive offences are always punishable.				October 2004
Bavaria	3 x 2 grams= 6 grams Fremdgefährdung *				August 2009
Berlin	Up to 10 grams no prosecution; with quantities between 10-15 grams the Public Prosecution generally waives prosecution. Official police report. Fremdgefährdung.				August 2009
Brandenburg	6 grams				August 2009
Bremen	From 6 to 8 grams; in exceptional cases 10 grams. In case of subsequent offences prosecution is not excluded.	2 grams	1 gram		January 2004
Hamburg	6 grams				August 2009
Hessen	6 grams no prosecution; 6-15 grams prosecution may be waived	1 gram 30 grams coca leaf or tea	1 gram 3 grams opium	1 gram amphetamine 20 ecstasy tablets (120mg)	February 2004
Mecklenburg-Vorpommern	5 grams on a case by case basis				February 2004
Lower Saxony	For each amount the case will be brought to the court, which can shelve the case after examining the person and the circumstances, but only with small amounts of cannabis and ecstasy.				August 2009
North Rhine-Westphalia	10 grams	0.5 gram	0.5 gram	0.5 gram or three units	June 2011
Rhineland-Palatinate	6 grams; prosecution may be waived in case of subsequent offences. Fremdgefährdung				August 2009
Saarland	6 grams Fremdgefährdung	In the event of other drugs than cannabis the prosecution may waive the charges.			August 2009
Saxony	No guidelines for small quantities. Decision on an individual case with only 2 or 3 units of cannabis or hashish. Varies depending on prosecutor. Fremdgefährdung.				November 2008
Saxony-Anhalt	6 grams Fremdgefährdung	In the event of other drugs than cannabis the prosecution may waive the charges.			August 2009
Schleswig-Holstein	6 grams; also in case of repetition	3 grams; also in case of repetition	1 gram; also in case of repetition	3 gram amphetamine; also in case of repetition	August 2009
Thuringia	A threshold for small amounts has not been established to reduce the overload for the prosecution. In the case of hard drugs prosecution is mandatory.				November 2008

* Fremdgefährdung = Below the threshold prosecution is possible in case of harm to others such as use in public, in the vicinity of youth, schools and hospitals or while driving a vehicle, etc.

Source: Drogen-Eigenbedarf Bundesländer <http://www.drug-infopool.de/gesetz>

©Transnational Institute (TNI)